

MINUTES

City Council Regular Meeting
October 20, 2020 - 7:00 PM

CALL TO ORDER

Mayor Rudy called the meeting to order at 7:00 p.m.

PLEDGE

ROLL CALL

Mayor:	Brian Rudy
Mayor Pro-Tem:	Mark Clark
Council:	Laura Speer
	Alicia Johnson
	Fred Neal
	Amanda Castle
	Tammy Mortenson

AUDIENCE PARTICIPATION

Steve Allen, resident of Evans, Colorado, distributed a DVD to City Council labeled "Global Health Mafia Racket COVID19" and asked for the video to be made public.

APPROVAL OF AGENDA

Mayor Pro-Tem Clark made the motion, seconded by Council Member Castle to approve the agenda as presented. The motion passed with all voting in favor thereof.

CONSENT AGENDA

1. Approval of the October 5, 2020 City Council Meeting Minutes
2. Consideration of Ordinance Number 731-20 to Update the Official Zoning Map for the City of Evans Pursuant to Zoning Changes that Occurred in 2020 (2nd Reading)
3. Consideration of Ordinance Number 734-20 Amending Title 3, Chapter 3.04, Subsection 3.04.500.O of the Evans Municipal Code to Allow the City Manager to Designate a Hearing Officer to Determine License Revocation (2nd Reading)

Mayor Pro-Tern Clark made the motion, seconded by Council Member Johnson to approve the consent agenda as presented. The motion passed with all voting in favor thereof.

NEW BUSINESS

4. Consideration of Approval of the Site Improvements Agreement for the Eastwood Village RV Park

Mr. Becklenberg provided a status update of the Eastwood Village project as presented in the agenda packet and asked Anne Best Johnson, Community Development Director, to outline the agreement.

Anne Best Johnson reviewed the project location, proposed layout of the property and the new building which will serve as the office, recreation center and bathroom/shower facilities. The second floor will be where the property manager will reside. The proposed landscaping plan was also reviewed. The Site Improvements Agreement outlines the improvements the applicant will be responsible for as well as what the City of Evans has agreed to. The City of Evans will bring an existing sidewalk into ADA compliance at an estimated cost of \$15,000.00 and will add crushed gravel to connect to the trail leading to Riverside Park at an estimated cost of \$2,500.00.

Mayor Pro Tem Clark asked about the requested landscaping to be included by the applicant. Anne Best Johnson responded that staff received the proposed landscape plan today and advised them of the inclusion of the natural grasses late this afternoon. Randy Ready, Assistant City Manager, advised that the City-owned portion of the trail is already landscaped, and the City will only be adding the crusher gravel to connect the trail to the site access point.

Council Member Speer asked the City to install signage along the trail to display the park rules, including dogs on a leash and no motorized vehicles. She would also like to see a dog waste station. She also likes the landscaping plan and barrier, since there are homes that are adjacent to this site.

Council Member Neal is still concerned as the property is located in the flood plain. He still feels that it is not in the best interest of the City to allow development in a known flood area and he is opposed to the project.

Mayor Rudy understands where Council Member Neal is coming from. However, they will be mobile RV's that will be able to get out if there is an event coming in that will affect the area. He believes that proposed site plan looks great, he likes the idea for signage, and he is in favor of it.

Council Member Castle made the motion, seconded by Council Member Mortenson to approve the Site Improvements Agreement for the Eastwood Village RV Park, and authorize the mayor to sign the Site Improvements Agreement. The motion passed 6-1 with Council member Neal voting against.

5. Consideration of Resolution Number 33-2020 Regarding Petition for Annexation filed by McConnell and Spaeth for properties located at 1280 Brantner Road and 4333 West Service Road and Setting a Public Hearing Date to Consider the Annexation and Change of Zone

Mr. Becklenberg turned the meeting over to Anne Best Johnson, Community Development Director, for the presentation.

Anne Best Johnson explained that staff has determined that the Petition has been filed completely in accordance with State Statute and to set a hearing date in the future to consider annexation. Brantner Road is not being proposed to be annexed at this time. The subject properties were shown on a location map. If accepted, the Clerk will forward the petition to the County. Notification will be followed according to Colorado Revised Statutes. The proposed hearing dates are December 1, 2020 and December 15, 2020. An annexation impact report is not required due to the parcels being less than ten acres in size.

Mayor Pro Tem Clark confirmed the hearing dates as December 1 & 15, 2020, since the staff report indicated hearing dates of November 17, 2020 and December 1, 2020. Anne Best Johnson explained that she has updated staff agenda reports and Resolutions to distribute, if requested. There was a miscalculation of dates on her part.

Council Member Speer asked what is located at these properties. Anne Best Johnson explained that currently there is a collection of vehicles and trucks. The applicants are currently working with Weld County zoning compliance and are wanting to clean the site up. There has been significant improvement in the last 6 months and will continue through that process. They are also aware that they will need to go through the Special Use process for any future uses on the property. The 4333 West Service Road is a cute little historic-looking building that is very narrow and may have been an auto repair shop at some point.

Council Member Neal asked if the smaller building will be used as an auto repair business. Anne Best Johnson stated that right now they are not using it as an auto repair shop, and she has not yet seen a site plan to know what the intention is. The hearing will be to consider what to set those zones districts could be if the City does want to annex those properties in. Council member Neal likes that they are cleaning the property up as there are a lot of used vehicles on the property.

Scott Krob explained the annexation process to the City Council. Any concerns about the properties can be addressed during the hearing process. He recommended that Council set the public hearing dates tonight and provide any comments regarding the properties to staff prior to the first public hearing.

Mayor Pro Tem Clark made the motion, seconded by Council Member Johnson to approve Resolution No. 33-2020 as proposed and establish the hearing dates to be December 1 and December 15, 2020. The motion passed with all voting in favor thereof.

6. Public Hearing: Consideration of 2021 Operating and Capital Budget, Resolution Number 30-2020 Adopting 2021 Budget and Ordinance Number 730-20 2021 Budget Appropriations

Mr. Becklenberg explained that the proposed 2021 budget was presented to Council at the September 15, 2020 work session. This is the first public hearing for the 2021 proposed budget. The Finance Committee reviewed the proposed 2021 budget on September 8, 2020. The entire budget is in the agenda packet and hard copies are available on the dais and at the back of the room. Mr. Becklenberg then turned the meeting over to Jacque Troudt, Finance Director.

Jacque Troudt reviewed the proposed budget package, that remains unchanged since the September 15, 2020 work session. Presented were the 2021 General Fund guiding principles, total General Fund revenues, budget gap summary, core services, use of reserves, the long range outlook, balance of reserves projected for 12/31/2021, Enterprise Funds overview, the 2021 Asset Management Plan budget and the overall 2021 total City Budget.

Mayor Rudy opened the Public hearing at 7:33PM and asked if there was anyone in the audience or online who wishes to speak in favor of this item. There were none. Mayor Rudy asked if there was anyone in the audience or online that wishes to speak in opposition of this item. There were none. There were no questions from City Council.

The Public Hearing was closed at 7:34PM.

Mayor Pro Tem Clack thanked staff for putting together a fantastic budget. He is hopeful in that the revenue numbers he saw from August were better than what was received during the same period in 2019 and he hopes that trend continues throughout the rest of the year. During these uncertain times, maybe some of the reserve money will not need to be utilized as much if this sales tax trends continues.

Council Member Speer stated that, being on the Finance Committee, most of her questions were answered at the committee level. She complimented staff for listening to the desires of the City Council and being able to balance things out. It was a lot of hard work by the Finance staff and they did a fabulous job.

Council Member Johnson echoes the previous comments and thanked staff for their work. She hopes for a better year.

Council Member Neal asked Jacque Troudt when the September sales tax revenue numbers would be available. Jacque Troudt responded that it is usually the first week of the following month.

Mayor Rudy thanked staff and the Finance Committee. A fantastic job was done considering the unknowns that 2020 has brought and he believes that the City has an idea of where it needs to be next year.

Council Member Castle made the motion, seconded by Council Member Neal to adopt Resolution No. 30-2020 and approve Ordinance No. 730-20 on First Reading. The motion passed with all voting in favor thereof.

7. Consideration of Agreement with Financial Statements Auditor

Mr. Becklenberg explained that it is a best practice that even if your auditor is doing a good job, as the City's was, it is appropriate to go to bid to seek proposals for auditing services about every five years. The City has done that in the past and we continue to do so. Over the last several months finance staff, led by Jacque Troudt, has gone out to the market and had several firms interested, which were then vetted by the Finance Committee. Mr. Becklenberg then turned the meeting over to Jacque Troudt, Finance Director.

Jacque Troudt stated that there were five proposals received upon closing of the RFP in September. The Finance Committee then reviewed the proposals, and the top three firms were invited to present at the last Finance Committee meeting. After the presentations that Finance Committee discussed, and is recommending, to change auditors, which the City has not done in many years. The current firm has changed names and merged with other companies and has continued to provide great service and a good working relationship. However, the recommendation to award the auditing contract to Haynie & Company was arrived by the Finance Committee. They are a Colorado firm based out of Littleton. They are a smaller firm and should be able to give us the attention and assistance the City needs. They are well versed in government accounting and auditing and work other communities in comparable size. Before Council tonight is the consideration to award the auditing contract to Haynie & Company. The contract price for the 2020 audit, to be conducted in 2021, is \$33,800.00. The threshold is under \$50,000.00 and it would be appropriate to have the City Manager sign the contract.

Mayor Rudy asked about the cost submitted by the other two top firms and if they were close to the contract price for this contract. Jacque Troudt responded that they were with hundreds of dollars. Mayor Rudy suggested next time to include that information in the packet. Jacque Troudt added that Haynie & Company was the lowest of the three that were looked at. The other two that were not considered were lower in cost but could not meet the City's deadlines or did not seem to have the knowledge or expertise the City was looking for.

Council Member Speer believes that the Finance Committee had three good interviews and believes Haynie & Company knocked it out of the ballpark. They are a local company and they stressed transparency and honesty and she believes that finance team will be very pleased with them and easy to work with.

Council Member Neal stated that he was shocked to find out that the City used the same auditing firm for so long, but they did rotate their staff, so the City was working with different people. He is pleased that the City is switching companies, because he believes that the City needs fresh eyes looking at the books.

Council Member Johnson thanked the Finance Committee, and she trusts their judgement on this recommendation. Any service needs to be cost effective for the City.

Council Member Castle believes that the top three firm all did a good job and what set Haynie & Company apart is their ability to focus on communicating with the City. She has had the opportunity to work with all the firms and her experience with Haynie & Company has been outstanding and believes that the City will be in really good hands.

Council Member Neal added that the reason you go to bid every five years is to have transparency and a fresh look at the books. He is pleased the City is switching to another company.

Council Member Speer made the motion, seconded by Council Member Johnson to award the 2020 financial statements audit contract to Haynie & Company and to authorize the Mayor's signature on an agreement in the amount of \$33,800. The motion passed with all voting in favor thereof.

REPORTS

8. City Manager

Mr. Becklenberg provided an update to the 37th Street project.

9. City Attorney

City Attorney, Scott Krob, advised City Council that CML Attorney's Virtual Conference is ongoing and he will report back when those sessions are complete.

AUDIENCE PARTICIPATION

There was no audience participation

EXECUTIVE SESSION

10. To determine positions relative to matters subject to negotiations, develop a strategy for negotiations and instruct the negotiators, pursuant to C.R.S. Section 24-6-402(4)(e)

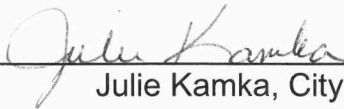
Mayor Pro-Tem Clark made the motion, seconded by Council Member Johnson to adjourn into executive session at 7:51 p.m. to determine positions relative to matters subject to negotiations, develop a strategy for negotiations and instruct the negotiators, pursuant to C.R.S. Section 24-6-402(4)(e). The motion passed with all voting in favor thereof.

The meeting reconvened at 8:18 p.m.

Mr. Krob noted for the record that the executive session that Council concluded was within the scope of the statute and that he was present for the duration of the discussion, so the discussion is subject to the attorney client privilege.

AJOURNMENT

The meeting was adjourned at 8:21 p.m.



Julie Kamka, City Clerk

CITY OF EVANS – MISSION STATEMENT

“To deliver sustainable, citizen-driven services for the health, safety, and welfare of the community.”

It is the policy of the City of Evans that all programs and activities shall be accessible to, and usable by, persons with disabilities. Persons needing assistance shall contact the Safety & Risk Management Manager at the City of Evans. Please provide three to five business day's advance notice so we can adequately meet your needs.